

2011 State Damage Prevention Program Grant Final Report
Funding Opportunity Number: DTPH56-11-SN-0001
CFDA Number: 20.720

Award Number: DTPH56-11-G-PHPS05

Project Title: 2011 State Damage Prevention Program

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Specific Objective(s) of the Agreement

The proposed grant will assist Kansas in meeting the goals outlined in Element 7 with a secondary impact on Elements 4 and 5 of the PIPES act. The proposed grant will continue our successful enforcement program in this region of the state. In addition to recommending additional civil penalties, our enforcement strategy is coupled with a strong educational component that will foster communications among all parties. We propose to evaluate the effectiveness of an aggressive enforcement program by using the mandatory damage reporting requirements in effect in Kansas.

Workscope

Under the terms of this grant agreement, the Grantee will address the following elements listed in 49 USC §60134 through the actions it has specified in its Application.

- *Element (7):* Enforcement of State damage prevention laws and regulations for all aspects of the damage prevention process, including public education, and the use of civil penalties for violations assessable by the appropriate State authority.

Accomplishments for this period (Item 1 under Article IX, Section 9.01 Project Report: “A comparison of actual accomplishments to the objectives established for the period.”)

Enforcement Activities under Element 7:

There were 187 damage investigations in the Wichita area for CY 2011. All the data from these investigations has been loaded into the Damage Information Reporting Tool (DIRT) database. The investigations have led to 27 notices of probable noncompliance (PNC) being issued to the party considered at fault by KCC Staff. Staff is evaluating eleven of the PNCs for further enforcement action.

Education of Stakeholders to Improve Performance on Elements 1, 2, and 4

This year we set out to build a better relationship with the city of Wichita because they are one of the largest excavators in the area. In the past we found the water department was having a very high level of strike occurrences within their work crews. Several probable non compliances were issued to them for general reasonable care issues. To our satisfaction the city undertook a comprehensive training program for all of their people performing excavation. This resulted in a significant reduction in line strikes and all but eliminated their at fault incidents.

From there we started to understand how the City addressed incident prevention for utility strikes as well as other safety issues. Our investigator has been attending and participating in the City sponsored underground utility coordination meetings. We plan to continue participating in this meeting and encouraging all excavators as well as utilities to participate. To date we feel our efforts to build a relationship with the City of Wichita has shown great success. As part of the

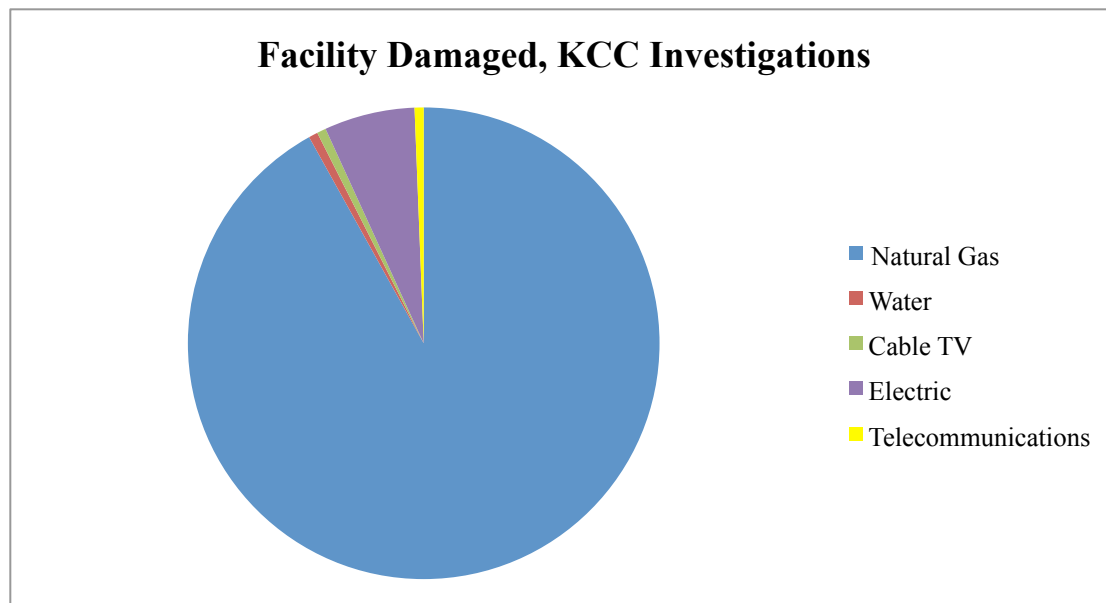
grant objectives last year we initiated a regional chapter of the Common Ground Alliance. We are now well into our second year and going strong. One recent initiative the group has done is to publish a contact phone list with telephone numbers for all of the major excavation players in the Wichita area including contractors, locators, utility representatives and regulatory staff. To date we have handed out approximately 425 plasticized sheets of this document to field personnel to keep in their work trucks. Our investigator also attended 246 contractor meetings and performed 118 random construction site visits. These efforts have greatly improved our relationship with excavators in the area and will continue to improve our efforts working towards damage prevention.

Quantifiable Metrics/Measures of Effectiveness (Item 2 under Article IX, Section 9.01 Project Report: “Where the output of the project can be quantified, a computation of the cost per unit of output.”)

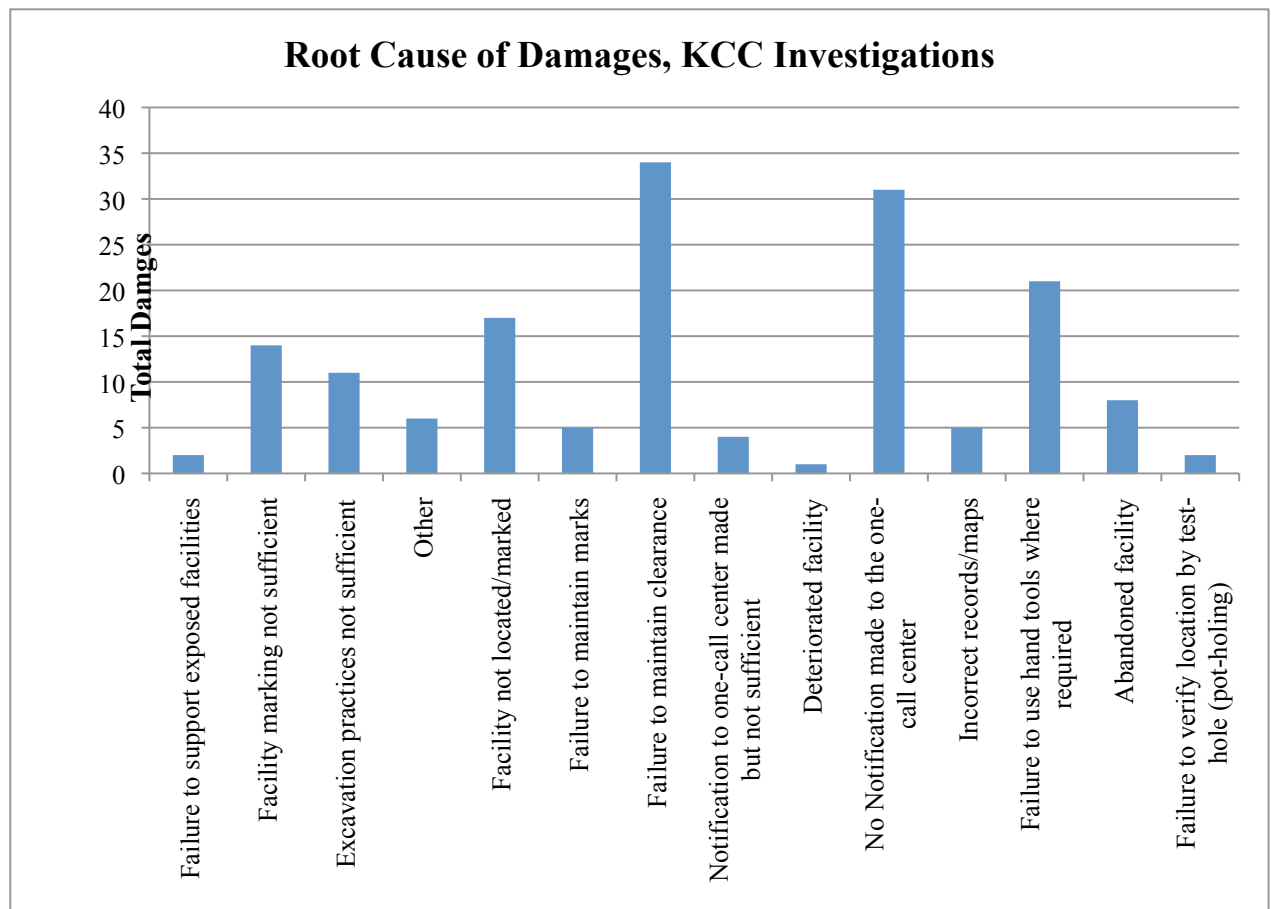
Prior to beginning the damage prevention program in Wichita that has been funded by this grant, there was very little to no activity for One Call enforcement in that area. Over the course of the last 3 years, our on-site contact with the utility operators and excavators has increased dramatically. For natural gas distribution utilities in the Wichita area, 95,500 locates were requested in 2011, with a damage rate of 2.67 damages/1000 locates. According to 2010 Annual Report by the Common Ground Alliance (CGA) based on data from 31 different call centers, the average rate of damage per 1000 locates is 3.02. Based on this study, the Wichita area is below average for the damage rate, which shows that damage prevention efforts in the area are ahead of the curve, but there is still room for improvement.

2011 Wichita Area KCC Investigator Activity

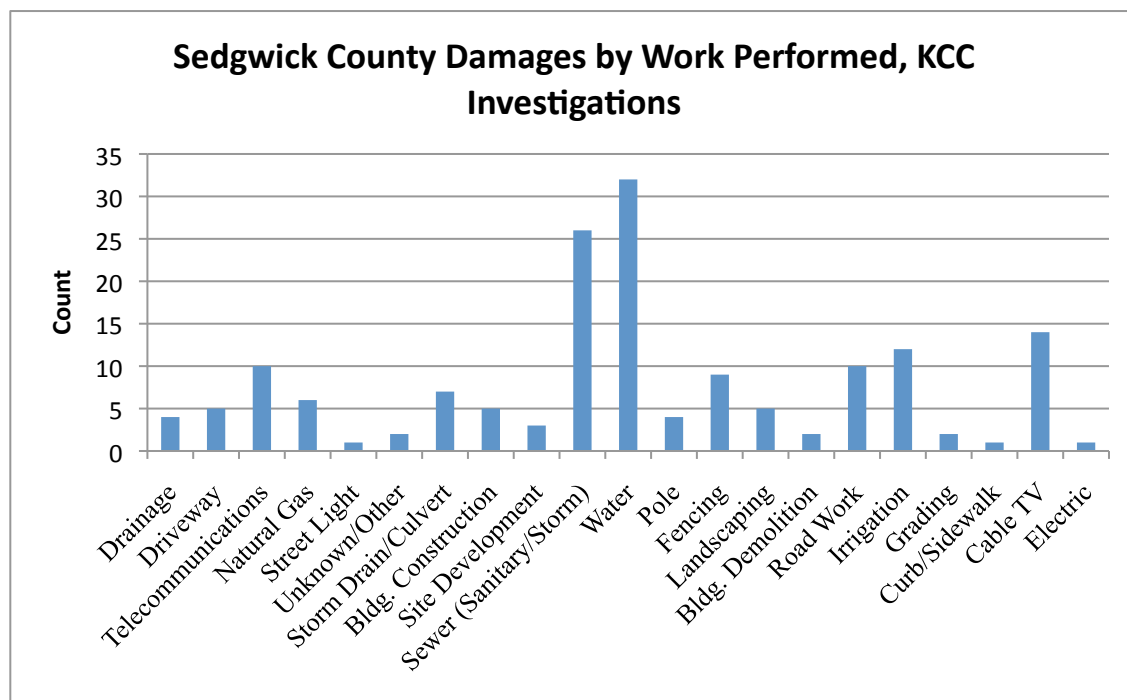
Year	Month	Random Site Visits	Damage Investigations	Contractor Meetings	Utility Meetings	CGA & Presentations
2011	January	8	14	17	2	1
	February	10	11	21	1	1
	March	0	27	26	2	1
	April	14	11	20	1	3
	May	6	23	24	1	3
	June	3	32	30	2	4
	July	6	29	29	2	1
	August	17	12	21	1	0
	September	21	16	30	2	1
	October	9	5	5	3	1
	November	16	6	16	1	1
	December	8	1	7	2	1
	Sub-Total:	118	187	246	20	18



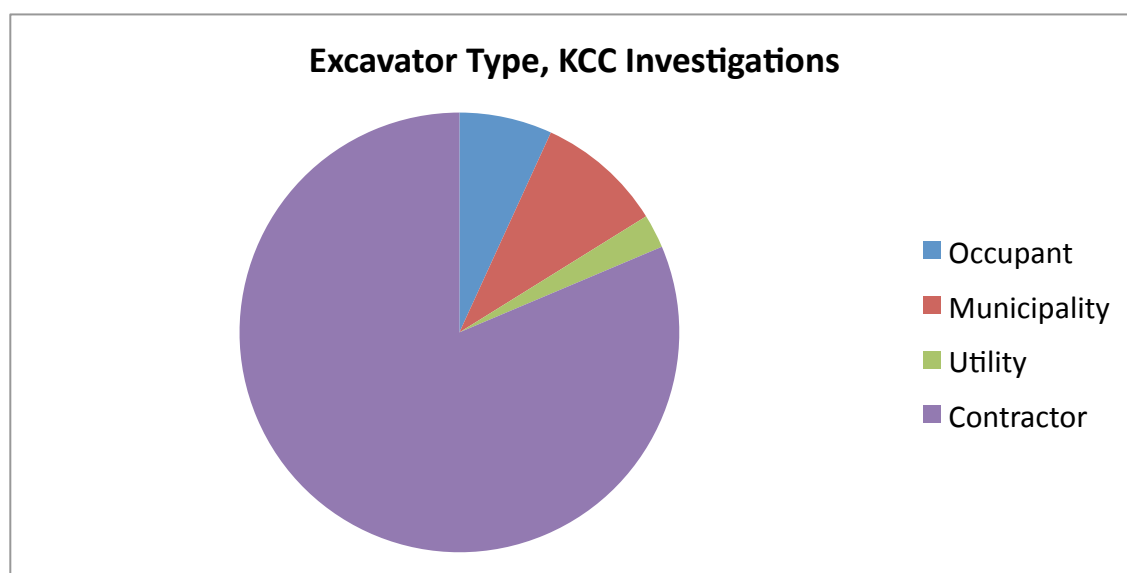
Seen in the figure above, most of the damages investigated by the KCC in SG County are to natural gas facilities. These are the only damages that are regularly reported to our division. Our investigator made it to 148 natural gas damages in Sedgwick County out of 255 total reported natural gas damages in the County. This equates to 58% of all natural gas damages in the area investigated for enforcement action. Although we are satisfied with this current performance level, we believe there is room for improvement. We would like to set a goal of investigating over 65% of natural gas damages in Sedgwick County for CY 2012.



The most common cause of underground utility damage in Sedgwick County is failure to maintain clearance while excavating near facilities. A related cause of failure to use hand tools when required came in third. These two causes together represent failures on the excavators' part by not exercising reasonable care while excavating near facilities. With these two causes representing over a third of the damages we investigate, our education efforts aimed towards contractors are well supported and we will continue with these efforts in the coming year. The second leading cause of damage is no notification made to the one-call center. This is an area our Staff can impact simply by continuing to pursue one-call enforcement action, maintaining a presence in the area and ensuring that penalties are assessed for damages resulting from no one-call notification made.



Most damage to gas facilities occurs when sewer or water work is performed. This can generally be attributed to the fact that these facilities are typically buried the deepest and gas pipes will be exposed on most projects. Our relationship with the City of Wichita and our mutual aid with their utility coordination efforts will continue to improve damage prevention for this type of work.



Contractors are the excavator for most of the damage investigations conducted by KCC Staff. We are on the right track by concentrating most of our efforts educating these folks through CGA meetings, contractor meetings, utility coordination meetings and random site visits. By routinely visiting the larger projects in the area, we are able to help out with any damage prevention problems faced by the contractor.

Issues, Problems or Challenges (Item 3 under Article IX, Section 9.01 Project Report: “The reasons for slippage if established objectives were not met. “)

None at this time.

Final Financial Status Report

The final financial report has been sent as a separate attachment to the AA.

Plans for Next Period (Remainder of Grant)

For the next grant year we plan to stay on track with enforcement activities. Also we will continue to look for opportunities to build relationships with other groups that influence construction and excavation projects in our area. The CGA group we have established will continue to present topics of interest for the excavator community to build on the education of all stakeholders. The main topic of interest that we will continue to push hard on is the reduction of damages due to trenchless excavating. This is a relatively new technology and is very useful; however, it is much easier to damage underground facilities when the excavator cannot visually observe the path of the new facility and sometimes strikes can go unnoticed by the equipment operator. If compliance with the Kansas Underground Utility Damage Prevention Act (KUUDPA) trenchless excavation guidelines is achieved, most damages using this excavation method will be eliminated.

Requests of the AOTR and/or PHMSA

No actions requested at this time